

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**DEFENDANT'S ASSENTED-TO EMERGENCY MOTION TO PERMIT THE
DEFENDANT TO ATTEND THE FUNERAL OF HIS GRANDFATHER IN PUERTO
RICO**

The defendant, Jose Torres, moves that this Court permit him to attend the wake and funeral of his grandfather in Puerto Rico.

The defendant would plan to fly by Frontier Airline on Saturday evening, August 10, 2024. He would be flying with his wife, Josephine, and his mother, Maria Oquendo. They would be staying at the following address of his sister, Yanarri Torres: SJ13 Urb Encantada Valle San Juan, Trujillo alto, San Juan. Her number is 787-525-4370. The funeral will be held on Sunday at Iglesia de Dios MB, Cupey alto. The defendant would return with his family members on Saturday, August 17, 2024.

The probation officer, Ricardo Cruz-Sanabria, who is the Supervisory U.S. Probation Officer in the Springfield office, assents to this motion. The government, through its representative, Assistant U.S. Attorney Phil Mallard, also assents to this motion.

Mr. Torres is charged with three counts concerning a conspiracy to steal catalytic converters. The government alleges that Mr. Torres purchased stolen catalytic converters in bulk

and sold them to buyers in Massachusetts, Connecticut, Rhode Island, and New Jersey. The government does not allege that he ever personally stole the catalytic converters himself. Rather, Mr. Torres's role was as a middleman who both bought and then sold the pilfered car parts.

Mr. Torres pled guilty to the three charges and filed a signed plea offer on May 12, 2023. He appeared before this Court for a Rule 11 hearing on May 17, 2023. At the request of the United States, Mr. Torres awaits sentencing in this matter.

III. JOSE TORRES'S BACKGROUND

Jose Torres was born in San Juan, Puerto Rico to Hiran Torres and Maria Oquendo on June 21, 1986. Jose and his mother relocated to Springfield, MA before Jose reached four years old. He has resided in Springfield with his extended family ever since and does not have a U.S. Passport.

Young Jose and his mother, Maria, visit the beach in Puerto Rico.

Jose was raised by his mother, grandmother, and maternal uncles. He did not meet his biological father until age 21. From an early age, family was the most important thing to Jose. His large family includes his younger sister Tatiana Renta, a rising high school senior at Central High School in Springfield, his mother Maria, stepfather Avileno Renta, uncle Jose Baez, aunt Alexandria Baez, and Grandmother Eufemia Guzman. All of them live in Springfield, and many live in the three-family, multigenerational house owned by Maria.

Jose lived with his extended family for fifteen years in that three-family house. In



November 2022, Maria and Jose purchased a single-family home at 87 Oak Street, Springfield, MA, where Jose now resides with his fiancé, Josephine, and thirteen-year-old son, Damian. Jose pays the mortgage on the Oak Street home.

Jose is all smiles at Tatiana's quinceañera party in the family's backyard in Springfield before, (right) he smudges the cake in Tatiana's face during the big family photo.



Jose and his large family do everything together: celebrate birthdays and holidays, go on camping trips and water parks, and have family movie nights. Jose's biological father and four half-

siblings

his life

Jose,

met his

in

who live

Rico.

year-old

son,



on his father's side were not involved in growing up. Family is so important to however, that he forgave his father for abandoning the family when Jose first father at age 21. Jose has since remained contact with his father and half-siblings, in both New York City as well as Puerto Jose lives with his longtime fiancée, Josephine Hernandez, and his thirteen-

Jose presents Damian with his thirteenth birthday cake.

Damian. Josephine and Jose have been together for over seven years. Jose shares joint custody of Damian with Damian's maternal grandmother, after the Department of Children and Families found Damian's mother to be an unfit parent. Jose is an extremely proud and doting father. Jose attended Putnam High School in Springfield but left in 11th grade so that he could work to support his family. He subsequently attempted the GED test on two occasions but was unable to pass the writing portion of the exam. Jose has a mechanical mind. His uncles showed him how to work on cars when he was still a teenager. Jose has worked as a mechanic and car detailer for his entire adult life while residing in Springfield, MA.

In his spare time, Jose raced cars that he built in local competitions until December 2021.

Approximately a week before Christmas 2021, Jose was at a community race event when his car's engine began to act up. Jose pulled over to look under the hood, while Josephine remained with

the car. A drunk driver ignored the breakdown lane and the flashing warning signs on Jose's car. He plowed into the rear of Jose's vehicle while Jose was working under the hood. The car was totaled, and Josephine suffered several broken bones.

Jose, however, suffered the most extreme injuries. He broke his hand, his ribs, his hip, and sheared his right leg. Jose underwent multiple surgeries. Doctors placed a metal rod and screws in his right leg from his knee to his ankle. In 2022, Jose received an \$80,000 civil settlement from the accident, and he used the funds to help his mother pay down the mortgage on the multifamily house he grew up in and place a down payment on Jose's current residence. Jose continues to experience extreme back pain. Jose regularly attended outpatient physical therapy, but it did little to assuage his back. He initially relied on prescribed Percocet pain medication but found himself becoming increasingly reliant on it. Jose swore off Percocet entirely in 2022. He now relies on 600 mg Motrin pills for pain relief. Prior to his arrest, Jose had been meeting with doctors at New England Orthopedic Surgeons in Springfield, MA to discuss whether another surgery is needed to mitigate the stress and pain on his back as a result of the accident.

Jose's prior criminal record primarily consists of state motor vehicle offenses, such as operating a vehicle with a suspended license, failing to have insurance, and operating after his license had been revoked. His most serious conviction within the last 10 years was for possession with intent to distribute a Class A substance, subsequent offense, for which he was sentenced to 2-3 years in state prison on April 27, 2015. In addition, Jose has resolved the two cases pending against him in the Connecticut Superior Court and the one case pending against him in the Springfield District Court.

WHEREFORE, the defendant requests that this Court allow this motion and permit him to travel to Puerto Rico so that he could attend his grandfather's wake and funeral, and spend time with his family as they celebrate the grandfather's life.

JOSE TORRES,

By His Attorneys,
Carney, Gaudet & Carney

J. W. Carney Jr.

J. W. Carney Jr.
B.B.O. # 076740
20 Park Plaza, Suite 614
Boston, MA 02116
JCarney@CARNEYdefense.com

August 9, 2024

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on or before the above date.

J. W. Carney Jr.